

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARLA HAMMOND,

Plaintiff,

v.

CHESTER UPLAND SCHOOL DISTRICT, et
al.,

Defendants.

CIVIL ACTION
NO. 13-6209

ORDER

AND NOW, this 9th day of September 2014, upon consideration of Defendants Chester Upland School District, et al.'s Motion to Dismiss (Doc. No. 10), Plaintiff's Response (Doc. No. 24), Defendants' Reply (Doc. No. 26), Defendant Joseph Watkins' Motion to Dismiss (Doc. No. 20), Plaintiff's Supplemental Response to Defendants' Motion to Dismiss (Doc. No. 27), and the arguments of the parties at a hearing held on April 30, 2014, it is **ORDERED** that:

1. Defendants Chester Upland School District, et al.'s Motion to Dismiss (Doc. No. 10) is

GRANTED IN PART AND DENIED IN PART.

2. Defendant Watkins' Motion to Dismiss (Doc. No. 20) is **GRANTED IN PART AND DENIED IN PART.**

3. Plaintiff's claim for violation of due process, 42 U.S.C. § 1983, deprivation of property interest (Counts One and Two) will not be dismissed.

4. Plaintiff's claim for violation of due process, 42 U.S.C. § 1983, deprivation of liberty interest (Count Three), referred to as a stigma-plus claim, will be dismissed against all Defendants.

5. Plaintiff's claim for breach of contract (Count Four) will be dismissed against all Defendants.
6. Plaintiff's claim for promissory estoppel (Count Five) will be dismissed against all Defendants.
7. Plaintiff's claim for mandamus (Count Six) will be dismissed against all Defendants.
8. Plaintiff's claim for declaratory judgment under the Pennsylvania Declaratory Judgment Act (Count Seven) will be dismissed against all Defendants. Plaintiff's claim for declaratory judgment under the Federal Declaratory Judgment Act will not be dismissed.
9. Plaintiff's claim for violation of Local Agency Law and the Public School Code (Count Eight) will be dismissed against all Defendants.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.